

**REMARKS**

Claims **1-14, 17-45, 47-59, 61-72, 74-81, 83, 85** and **87-92** are pending in the application.

Claims **1-14, 17-45, 47-59, 61-72, 74-81, 83, 85** and **87-92** have been rejected.

Claims **1, 4-8, 23, 36, 37, 39-44, 55, 57, 58, 68-72, 74-81** and **83** have been amended.

Applicant respectfully submits that these amendments add no new matter as various support for these amendments can be found at least, for example, at paragraphs [0026], [0031]-[0033], [0037], [0039]-[0041] and [0067]-[0068] of the originally-filed Specification.

Claims **15, 16, 46, 60, 73, 82, 84** and **86** have previously been cancelled.

Claims **2-3** and **11-14** have been cancelled.

Claims **81, 83, 85** and **87-92** have been interpreted to invoke 112 sixth paragraph because the claims satisfy the 3-prong analysis for 11 sixth paragraph (see MPEP 2181).

Claim **93** has been added.

**Drawings**

The drawings are objected to under 37 C.F.R. 1.83(a). Applicant respectfully submits that the drawings illustrate every feature of the claimed invention. For example, Figure 2 illustrates a plurality of DPMs 222(1) and 222(2) in a DPM bank 200, and each DPM 222(1) and DPM 222(2) comprise a plurality of DPM fields 225(1,1)-(1,N) and 225(2,1)-(2,N), respectively. Further, Applicant notes that independent Claims 1, 36, 55, 68 and 81 have been amended to clarify that a DPM comprises a plurality of DPM fields, where a DPM field can further comprise a plurality of bit entries. Applicant respectfully submits that the Examiner's concerns are addressed thereby. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the objection to the drawings.

*Claim Objections*

Claims 2-3 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant notes that Claims 2 and 3 are cancelled, and respectfully submits that the rejection is therefore moot.<sup>2</sup>

*Rejection of Claims Under 35 U.S.C. §101*

Claims 36-45 and 47-54 stand rejected under 35 U.S.C. §101 as being purportedly directed to non-statutory subject matter because the claims are not tied to a particular apparatus. Applicant traverses this rejection in view of the present amendments. Applicant respectfully submits that the Examiner's concerns are addressed thereby. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the rejection to independent Claim 36 and all claims depending therefrom.

Claims 68-72 are rejected under 35 U.S.C. § 101 as being purportedly directed to non-statutory subject matter because the claims are drawn to a computer program product. Applicant traverses this rejection in view of the present amendments. Applicant respectfully submits that the Examiner's concerns are addressed thereby. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the rejection to independent Claim 68 and all claims depending therefrom.

Rejection of Claims under 35 U.S.C. §112

Claims 68-80 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly being indefinite. Applicant respectfully traverses this rejection in view of the present amendments. Applicant notes that the computer-readable storage medium and program instructions are adequately described in the Specification. *See* Specification ¶ [0067] (*e.g.*, the described method may be executed from computer-readable media), ¶ [0068] (*e.g.*, such a computer system configured by the method processes information according to a program or list of stored instructions). Applicant respectfully submits that the Examiner's concerns are addressed thereby. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the rejection to independent Claim 68 and all claims depending therefrom.

Claims 81, 83-85 and 87-92 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to comply with the enablement requirement. Applicant respectfully traverses this rejection in view of the present amendments. Applicant respectfully submits that the Examiner's concerns are addressed thereby. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the rejection to independent Claim 81 and all claims depending therefrom.

Claims 81, 83-85 and 87-92 are also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully traverses this rejection in view of the present amendments. Applicant respectfully submits that the Examiner's concerns are addressed thereby. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the rejection to independent Claim 81 and all claims depending therefrom.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 1-5, 9-12, 14, 17, 23, 27-30 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over Milliken, U.S. Publication No. 2003/0115485 (“Milliken”) in view of Isobe, U.S. Patent No. 5,602,781 (“Isobe”) and Ito, U.S. Patent No. 6,381,660 (“Ito”). Claims 36-37, 39, 47, 55-57, 61, 68-70, 74, 81, 87 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Milliken, in view of Isobe, Ito, and further in view of Reiss, U.S. Publication No. 2004/0267945 (“Reiss”). Applicant respectfully traverses these rejections.

Applicant has amended each of the independent Claims 1, 36, 55, 68, and 81 to recite the limitations that are not taught or fairly suggested by Milliken in view of Isobe and Ito or by Milliken in view of Isobe, Ito, and Reiss. For example, Claim 36 has been amended to recite:

causing a packet summary value (PSV) generator to generate a PSV, wherein  
said generating said PSV comprises, responsive to receiving a packet,  
extracting data from said packet, and  
calculating said PSV using said data from said packet by virtue of being  
configured to  
generate hashed data by hashing said data from said packet using a  
hashing function, wherein  
said PSV corresponds to said hashed data; and  
determining if a field of a duplicate packet map (DPM) indicates said packet is a  
duplicate packet, wherein  
said DPM is one of a plurality of DPMs included in a DPM bank,  
said determining uses said PSV,  
said PSV corresponds to said packet by virtue of said PSV corresponding to said  
hashed data,  
said DPM comprises  
a first DPM field comprising a first plurality of bit entries,  
a second DPM field comprising a second plurality of bit entries,  
said first DPM field is designated as a previous time interval field,  
said second DPM field is designated as a current time interval field,  
said previous time interval field corresponds to a previous time interval,  
said current time interval field corresponds to a current time interval,  
said previous time interval occurs before said current time interval,  
said previous time interval is substantially equal in duration to said current  
time interval, and  
said previous time interval is distinct from said current time interval.

Support for the amendments added to the independent Claims can be found throughout the originally-filed Specification, and at least at paragraphs [0026], [0031]-[0033], and [0037].

Applicant has reviewed the cited sections of Milliken, Isobe, Ito, and Reiss, and can find no teaching or fair suggestion of, for example, “said DPM comprises a first DPM field comprising a first plurality of bit entries, a second DPM field comprising a second plurality of bit entries, said first DPM field is designated as a previous time interval field, said second DPM field is designated as a current time interval field, said previous time interval field corresponds to a previous time interval, said current time interval field corresponds to a current time interval, said previous time interval occurs before said current time interval, said previous time interval is equal in duration to said current time interval, and said previous time interval is distinct from said current time interval.”

The Office Action acknowledges that Milliken fails to teach the claimed first and second DPM fields. *See* Office Action, p. 14. Instead, the Office Action relies on Ito in this regard. *Id.* Ito discusses storing a previous system time T and a current system time T in a FIFO. *See* Ito 6:4-8. However, Ito’s previous and current system times fail to teach or fairly suggest the claimed DPM fields, at least because Ito’s previous and current system times are regions in the FIFO that each store a single system time value pulled directly from a received packet. *See* Ito 5:59-6:4, Fig. 4. In contrast, the claimed first and second DPM fields each comprise a plurality of bit entries that store a calculated PSV value. Further, Ito’s previous and current system time are configured for use in generating a clock signal. *Id.* Each of the claimed plurality of bit entries of the first and second DPM fields indicate a received packet is a duplicate packet. Thus, the cited sections of Ito fail to teach or suggest the claimed first and second DPM fields. Additionally, the cited sections of Isobe and Reiss also fail to teach the claimed first and second DPM fields. *See* Isobe 2:7-15, Reiss ¶ 115. Accordingly, the cited sections of Milliken, Isobe,

## PATENT

Ito, and Reiss, alone or in permissible combination, fail to teach or fairly suggested the claimed first and second DPM fields, and thus fail to teach or fairly suggest the claimed DPM.

For the reasons discussed above, Applicant submits that the cited sections of Milliken, Isobe, Ito, and Reiss, alone or in permissible combination, fail to provide disclosure of the limitations of independent Claim 36, as amended. For similar reasons, Applicant submits that Milliken, Isobe, Ito, and Reiss also fail to provide disclosure of the limitations of independent Claims 1, 55, 68, and 81. Accordingly, Applicant respectfully submits that independent Claims 1, 36, 55, 68 and 81, and all claims depending therefrom, are in condition for allowance. Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

Claims 6-8, 13, 24, and 31 are rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over Milliken in view of Isobe and Ito as applied to claims 3, 11, and 30 respectively above, and further in view of Khansari et al., U. S. Patent No. 6,446,131 ("Khansari"). Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Milliken in view of Isobe and Ito as applied to claim 1 above, and further in view of Reiss. Claims 19-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Milliken in view of Isobe and Ito as applied to claim 1 above, and further in view of Khansari and Reiss. Claims 25-26 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milliken in view of Ito, Isobe and Khansari, as applied to claim 24 above, and further in view of Reiss. Claims 38, 40-45, 48-54, 58-59, 62-67, 71-72, 75-80, 85, 88-92 are rejected under 35 U.S.C. § 103(a) s being unpatentable over Milliken in view of Ito, Isobe and Reiss as applied to claims 37, 39, 56 and 69 respectively above, and further in view of Khansari. Applicant respectfully traverses these rejections for at least the reasons set forth above with respect to independent Claims 1, 36, 55, 68, and 81.

**CONCLUSION**

Applicant submits that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

/ Samuel G. Campbell III /

Samuel G. Campbell III  
Attorney for Applicant(s)  
Reg. No. 42,381  
Telephone: (512) 439-5084  
Facsimile: (512) 439-5099